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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/749,595	12/28/2000	Ravi Ganesan	3350-67	4823
7590 09/04/2007				
WILLIAM R. SILVERIO		EXAMINER		
SUTHERLAND ASBILL & BRENNAN LLP		HAMILTON, LALITA M		
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ATLANTA, GA 30309-3996		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/749,595

Applicant(s)

GANESAN ET AL.

Examiner

Lalita M. Hamilton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 16-31, 36-40 and 42-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 16-31, 36-40, and 42-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

On March 9, 2007, an Office Action was sent to the Applicant rejecting claims 1-13, 16-33, and 36-41. On June 11, 2007, the Applicant responded by canceling claims 33 and 41; adding new claims 42-51; and amending claims 1-5, 7-8, 10-12, 16-24, 27, 29-31, and 36-40.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-12, 16-31, 36-40, and 42-51 are rejected under 35 U.S.C. 102(e) as being anticipated by Cockrill (2002/0059114), as set forth in the previous Office Action.

With regard to the amended claims, Cockrill discloses the network user being associated with a plurality of registrations with the payment service provider (p.10, 95 and 97—additional purchases to an existing account by a customer signed on to an existing account); the request is associated with a first registration of the plurality of registrations (p.4, 55—the customer purchases the item and the transaction record is created that identifies the customer, amount, and merchant); determining by the payment service provider if the request will be accepted for execution by examining previous executed requests (p.4-5, 57—the transaction records are checked to

determine if the account has exceeded a threshold and then decides whether to process the request or not); wherein at least one of the previously executed requests is associated with a second registration of the plurality of registrations (p.10, 97— purchases made by another customer on the account); directing a credit to the payee (p.8, 79); and the request includes a user identifier associated with a first registration, wherein the user identifier is further associated with a sponsor (p.5, 59—identifier assigned to user at first registration and also associated with the network (sponsor)).

With regard to the newly added claims, Cockrill discloses each of the plurality of registrations are associated with a respective one of a plurality of user identifiers of the network user (p.5, 59); at least one of the plurality of registrations is associated with the network user registering with the payment service provider via a sponsor (p.5, 59— identifier assigned to user at first registration and also associated with the network (sponsor)); at least one of the plurality of registrations is associated with the network user registering with the payment service provider via a sponsor (p.5, 59—identifier assigned to user at first registration and also associated with the network (sponsor)); the second time is subsequent to the first time, and wherein a time period between the first time and the second time is a determined time period (p.5, 57-58); wherein at least one of the plurality of registrations is associated with the network user registering with the payment service provider via a sponsor (p.5, 59); the second time is subsequent to the first time, and wherein a time period between the first time and the second time is a determined time period (p.5, 57-58); and at least one of the plurality of registrations is

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associated with the network user registering with the payment service provider via a sponsor (p.5, 59).

Although the Examiner has pointed out particular references contained in the prior art(s) of record in the body of this action, the specified citations are merely representative of the teachings in the art as applied to the specific limitations within the individual claim. Since other passages and figures may apply to the claimed invention as well, it is respectfully requested that the applicant, in preparing the response, to consider fully the entire references as potentially teaching all of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the Examiner.

Response to Arguments

Applicant's arguments filed June 11, 2007 have been fully considered but they are not persuasive. The Applicant argues that Cockrill does not disclose determining if the received payment request will be accepted for execution by examining previous requests executed on behalf of the network or the request being associated with a first registration of the network user and where at least one of the previously executed requests is associated with a second registration of the network user. In response, Cockrill discloses determining if the received payment request will be accepted for execution by examining previous requests executed on behalf of the network. The transaction records are examined to determine if the amounts exceed a threshold value. The payment requests are then either settled or declined (p.5, 57-58). Cockrill further discloses the request being associated with a first registration of the network user and

where at least one of the previously executed requests is associated with a second registration of the network user. The request is associated with the registered account. One of the previously executed requests is associated with additional purchasing accounts that are coupled to the first payment account (p.10, 95 and 97).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M. Hamilton whose telephone number is (571) 272-6743. The examiner can normally be reached on Tuesday-Thursday (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kalinowski Alexander can be reached on (571) 272-6771. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



LALITA M. HAMILTON
PRIMARY EXAMINER